

2.30.020 – Fire Chief – Appointments, promotion and vacancy filling

- A. The Fire Chief shall be recommended for appointment by the City Administrator and appointed annually by the Mayor with the advice and consent of the City Council until the first day of May following his or her appointment, except for the following:
 - 1. If the City Administrator determines that the Fire Chief is not satisfactorily fulfilling the duties of the position, the City Administrator, with approval of the Mayor and City Council, may terminate the Fire Chief at any time during the year of appointment.
 - 2. If the Fire Chief demonstrates behavior that would be cause for immediate dismissal, the City Administrator, with Mayor and City Council approval, may terminate the Fire Chief immediately.
- B. If a Fire Chief is terminated prior to the end of his or her term, the Mayor, upon the receipt of a recommendation from the City Administrator, and advice and consent of the City Council, may appoint a new Fire Chief prior to May 1.
- C. The Assistant Fire Chief(s) shall be exempt rank(s) and position(s) shall be appointed or promoted by the City Administrator upon the recommendation of the Fire Chief and shall be subject to removal by the City Administrator. The provisions of 65 Illinois Compiled Statutes 5/10-2.1-4, as amended, shall not apply to appointments, promotions or removals for the position(s) of Fire Chief and Assistant Fire Chief.
- D. Any full-time member of the Fire Department appointed as Fire Chief or Assistant Fire Chief unless outlined herein, shall not retain any reversionary rights in any former position and shall not be returned to such position if removed or resigned from his/her appointed position.
 - 1. Any full-time member of the Fire Department holding the rank of Assistant Fire Chief or Battalion Chief, prior to January 7, 2008, shall be classified during his or her term in such position as on furlough from the Fire Department at the rank to which he or she is entitled under the Board of Fire and Police Commissioners at the beginning of his or her term of office. If he or she resigns or retires from the appointed rank or is removed by the appointing authority, said officer shall revert to his or her permanent rank, if any, in the Fire Department as established under statute or City ordinance, unless removed from the department by the Board of Fire and Police Commissioners. If the employee reverts to a prior rank, the employee shall be entitled to all the benefits and emoluments of that rank, without regard as to whether a vacancy then exists in that rank.
 - 2. If a member of the department is appointed to a rank immediately below the Chief in a manner provided by ordinance after enactment of this ordinance and prior to being eligible to retire on pension, he or she shall be considered as on furlough from the Fire Department at the rank to which he or she is entitled under the Board of Fire and Police Commissioners at the beginning of his or her term of office until such time as the employee attains pension eligibility. If he or she resigned from his or her appointed rank or is removed by the appointed authority prior to attaining eligibility to retire on pension, he or she shall revert to and be established in whatever rank he or she held immediately prior to his or her appointment to the rank immediately below the Chief and thereafter be entitled to all the benefits and emoluments of that rank without regard to whether a vacancy then exists in that rank, unless removed from the department by the Board of Fire and Police Commissioners. If he or she resigned from the appointed rank or is removed by the appointing authority after attaining eligibility to retire on pension, such employee shall be removed from employment and shall not be returned to any prior rank.
 - 3. The provisions for removal set forth in this ordinance shall not apply where such individual has been discharged for cause by the Board of Fire and Police Commissioners, in which case he or she shall be disqualified as a member of the Fire Department.

(2008-M-92 : § 2; 2008-M-42 : § 11; 2008-M-3 : § 1; 1978-M-26 : § 1 (part); 1966-15 : (part); Prior code : § 8.002)